

# City of College Park

## Fence Fact Sheet

“Good fences make good neighbors” from the *Mending Wall* by Robert Frost

### ***Introduction***

Wooden pickets, shrubs, or wrought iron – whatever the form or function, fences have a big impact on your living space and your neighborhood. If you are thinking of building a fence, plan carefully.

What is the purpose of the fence? Are you trying to define your property? Provide privacy? Keep your children and/or pets out of the street? Or, make you feel safer?

Once you determine the purpose, ask yourself whether it is really necessary to build a fence. You may be able to define your space with landscaping, paths, or other natural elements without needing to construct a fence.

If you decide to construct a fence, keep the purpose and setting in mind as you consider the design. Topographic features such as a sloping lot or drainage swale may impact the placement of the fence on your property.

Your budget will have a significant impact on the style and materials used for your fence. An inexpensive fence can, however, reflect your creativity -- consider using a mix of materials to provide interest and providing recesses on both sides of the fence to allow for plantings that add texture and color. Think about incorporating lattice to provide openings, which can provide a sight line into your property, while still maintaining privacy. Pay special attention to the design of the gates – these essentially serve as doors to your property and you will want to think about the message you are sending to visitors.

It is always important to consider the impact of your fence on your neighbors and your neighborhood. What will your neighbors see from their property? How does the fence fit with the overall character of your neighborhood?

If you need more ideas, check out design books from the library or talk to fence retailers. The easiest approach may be to walk through your neighborhood and look at your neighbor's fences. Make a note of what looks good and what meets your fencing needs.

### ***Key Questions***

As you design your fence, it may be helpful to consider the following questions.

**1. Why do I need a fence?**

- a. Security
- b. Privacy
- c. To define property lines
- d. To screen unsightly views
- e. To contain children and pets
- f. Safety around water
- g. To create outdoor space
- h. To reduce traffic noise
- i. To provide a backdrop/structure for landscaping

**2. What type of fence do I need?**

- a. Solid and opaque
- b. Open and transparent
- c. A mixture
- d. Materials – wood, iron, brick, hedge

**3. What style of fence do I want?**

- a. Does it match the style of my house
- b. Does it fit with the style of fences in my neighborhood
- c. Have I considered different ways of using the same materials

**4. What size does my fence need to be?**

- a. How high does it need to be?
- b. Should the fence vary in height and style?

**5. Where can my fence be located?**

- a. Does the fence have to be straight
- b. Can other existing objects be incorporated into the fence that might serve the same function
- c. Have I considered alternative locations for my fence

**6. How will my fence affect the microclimate?**

- a. Will my fence create wind shelter or wind funnel areas or will it create shadows and frost areas

**7. Is my fence going to require ongoing maintenance?**

- a. Have I selected durable materials
- b. Will the selected materials require painting, staining, or trimming
- c. Is the fence vulnerable to damage from trees or tree roots
- d. Is the fence properly constructed

**8. Is the fence safe?**

- a. Could the fence be a danger to you, fellow residents, or the public
- b. Does the fence obstruct visibility

**9. Do I want to incorporate other features into the fence?**

- a. Lighting
- b. Drainage
- c. Gates
- d. Planting bays
- e. Existing objects (trees or garages and sheds)
- f. Security measures
- g. House numbers

**10. What type of fence do I need?**

- a. Will my fence add to the attractiveness of my house and street
- b. Will my fence add value to my property
- c. Will my fence function in the way that I envisioned

## ***Fencing and Safety***

The physical design of your neighborhood has an impact on the level of crime and fear in your neighborhood. The “Broken Windows” theory describes how the quick response to the small problems of broken windows, graffiti and trash can prevent more serious crimes from occurring. Crime Prevention Through Environmental Design or CPTED takes this one step further. CPTED looks at the entire neighborhood to identify areas or elements that may have the potential to attract crime. The CPTED principles state that fences should allow people to see in. Even if the fences are built for privacy, they should not be too tall and should provide some visibility into and out of the fenced area.

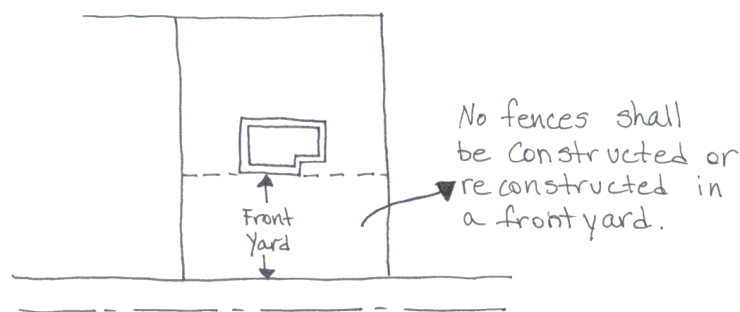
Low front fences also make it easier for drivers backing out of driveways to see pedestrians, particularly young children, on the sidewalk. Some property owners opt for high, solid fences for security reasons, but they may have the opposite effect. It is much easier for an intruder to target a house that is not visible from the street or neighboring properties because of a high fence. The high fence may allow an intruder to move around the house and yard without being noticed.

Sometimes a higher, solid fence is still preferred. Panels of latticework or wrought iron in solid fences can create a safer environment by providing windows both into and out of the property. If solid fences are required to block street noise, recessed planting areas provide dimension – just make sure that recessed areas are not deep enough to provide a space for a person to hide.

Pool fencing is an important issue and is addressed in the Swimming Pools section of this fact sheet.

## ***Rules and Requirements***

The City of College Park enacted, Ordinance 05-O-12, amending Chapter 87, Section 23 of the City of College Park Code on October 19, 2005, and the Prince George’s County Council, sitting as the District Council, approved the Ordinance on January 24, 2006. The new City Fence Ordinance ***requires you to obtain a City building permit*** to construct a fence and ***prohibits the construction and reconstruction of fences in front yards***. See Figure 1.



**Figure 1**

The front yard of your property is the area between the public or private right-of-way – the street or drive) or the parking lot and the building restriction line, which is generally 25 feet for single-family homes in College Park. Remember, the right-of-way frequently extends beyond the actual pavement of the street and may include a planting strip and sidewalk. If your home is set back further than the required 25 feet, then your front yard extends from the property line to the front wall of your home.

The Ordinance also prohibits the construction of fences in the apparent front yard of your home. The apparent front yard may not be the legal front of your property, but appears to be the front because of the orientation of your home to the street and other architectural features, such as the front door. See Figure 2.



Figure 2

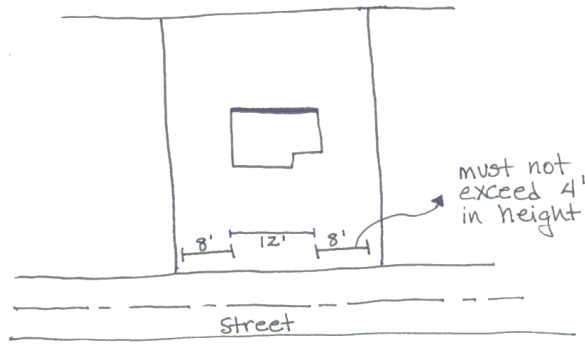
The Ordinance also prohibits the construction of fences in a public right of way – for example, the area between the curb and the sidewalk.

### What is a fence?

The City Ordinance defines a fence as any structure, barrier, wall or partition that encloses a piece of land, divides a piece of land, separates two adjoining properties, or creates an obstacle to a pedestrian crossing. A fence may consist of the following:

- Fencing material
- Chain
- Railing
- Arbor
- Trellis
- Blocks
- Bricks
- Stone
- Wood
- Iron
- Wire
- Plastic
- Concrete
- Other building or construction material
- Natural Material

The fence ordinance does not apply to decorative structures less than 4 feet in height, which consist of not more than 2, 8 foot sections that are located at least 12 feet from the other. See Figure 3. These decorative structures must have landscaping, including bushes, shrubs, plants or flowers, along their entire length.



**Figure 3**

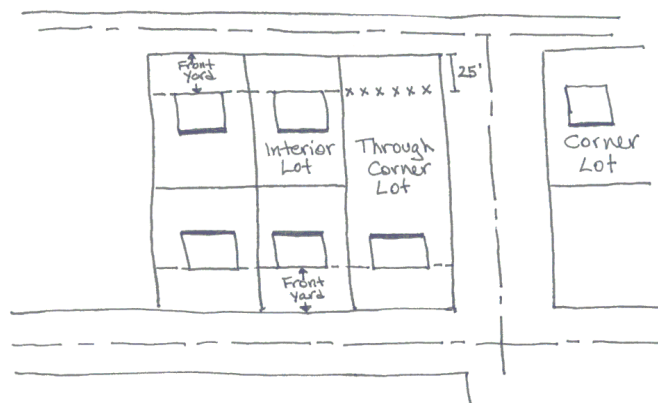
Arbors and trellises that are less than 8 feet in length are not considered fences. The ordinance does not apply to underground, invisible animal restraint barriers, such as electric fences. Retaining walls, no more than 1 foot above the finished grade may be constructed in the front, rear or side yard.

### **What do I need to do if I want to construct a fence?**

If you want to construct a fence over 4 feet in height, you must obtain a building permit. As a resident of the City of College Park, you will need to obtain a building permit from both Prince George's County and the City of College Park before you construct your fence. To obtain your Prince George's County building permit, you will need to bring a copy of your site plan showing the proposed fence location to the Prince George's County Permit Center located at 9400 Peppercorn Place in Largo, MD. Once you have obtained your County permit, you should bring your paperwork to the College Park Public Services Department located at 4601A Calvert Road in College Park, MD.

### **What happens if my property is a corner lot or a through lot?**

Corner properties, which are located at the intersection of two streets, and through lots, which extend from one street through the block to the next street, are unique. See Figure 4.



**Figure 4**

If you are going to construct a fence and your property is a through lot, your fence should not extend to your rear property line. Your fence must be set back 25 feet from your rear property line so that it respects the front yard setback of your neighbor's property. Figure 3 shows the fence line for the through lot aligned with the front yard setback of the adjacent lots.

If your property is a corner lot, you must determine the legal front. To determine the legal front, look at your two property lines with street frontage. The legal front of your property is the one that has the smallest street frontage. Remember, your house may not always be oriented towards your legal front. Once you determine the legal front of your property, remember that fences are prohibited in front and apparent front yards.

If your property is a corner lot, there is one final consideration. Fences on corners that are over 3 feet in height must not be located within 25 feet of the corner because they create a visual obstruction that makes it difficult for drivers to see oncoming traffic and pedestrians. Figure 5 shows the area on corner lots where fences over 3 feet in height are prohibited.

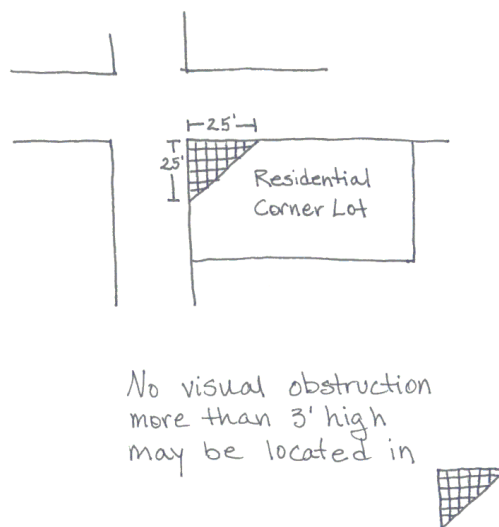


Figure 5

### What do I need to do if I want to replace an existing fence?

You may replace or reconstruct a fence, using similar dimensions, placement, and materials, provided that the fence was properly permitted or you received a variance for the fence prior to January 24, 2006 – the effective date of this ordinance. Your reconstructed fence must not exceed 4 feet in height in your front yard and the setbacks (the distance from your property line to the fence) should be generally consistent with your neighborhood. See Figure 6.

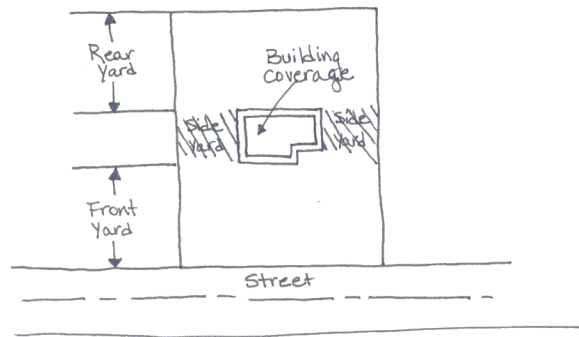


Figure 6

### What happens if I want to put a fence in my front yard?

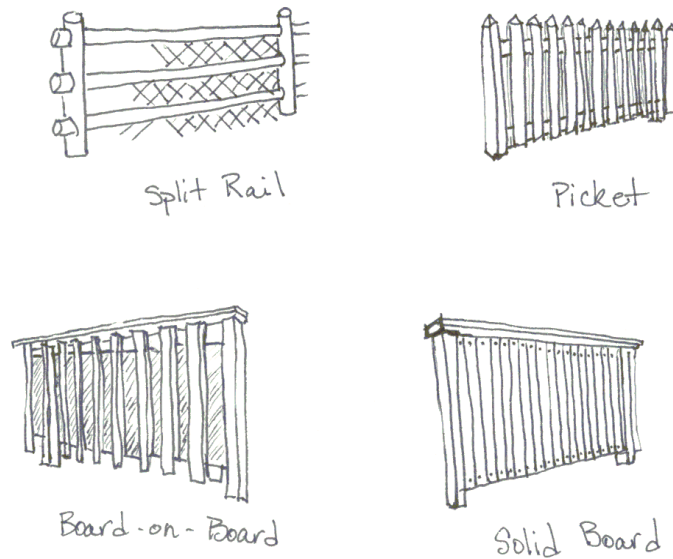
If you have considered your options and still believe you want to construct a fence in your front yard, you can appeal to the City of College Park Advisory Planning Commission for a variance. The APC will use the following criteria to evaluate your appeal.

1. There is an extraordinary situation of condition that would support the request for a variance;
2. Denial of the variance would result in a peculiar and unusual practical difficulty to, or an exception or undue hardship to the owner;
3. Granting the variance will not impair the intent, purpose or integrity of any applicable county general plan or master plan;
4. The variance is consistent with the design guidelines adopted for the Historic District, if applicable;
5. The variance will not adversely affect the public, health, safety, welfare or comfort;
6. The fence for which a variance is requested incorporated openness and visibility as much as is practicable, provided however, that it shall not be constructed of chain link; and
7. The proposed construction, including setbacks, is characteristic and consistent with the surrounding neighborhood.

To apply for a variance, contact the City Planning Department at 301-277-3445. The APC makes recommendations to the Mayor & Council on zoning applications, land use issues and plans, grant requests and capital improvements. Meetings are held on the first Thursday of every month at 7:30 p.m. in the City Hall Council Chambers.

### Materials

Fences in College Park are composed of a variety of materials, including wood picket, decorative iron, and landscaped hedges. See Figure 7. The Ordinance prohibits the construction of fences from barbed wire, electrically charged material, or other hazardous material. Look at other fences in your neighborhood to determine which material is most appropriate.



**Figure 7**

## ***Swimming Pools***

The Prince George's County Zoning Ordinance regulates swimming pool fences at Section 27-424 and states that a fence – at least 6 feet in height -- shall enclose all outdoor residential swimming pools. If the pool is constructed above grade, and a fence or railing (the top of which is at least 6 feet above grade) is attached to it, another separate fence shall not be required.

There are many reasons why you should carefully consider fencing. Fencing can be a positive contribution to your neighborhood and can even provide an opportunity for you to interact with your neighbors.

If you are unsure about any of the requirements of the Fence Ordinance, contact the City of College Park Planning Department at 240-487-3538 or the Public Services Department at 240-487-3570.



***The Planning Department is located at City Hall, lower level, 4500 Knox Road, College Park, Maryland 20740-3390. Telephone 240-487-3538, FAX 301-887-0558.***

***The Public Services Department is located at 4601A Calvert Road, College Park, Maryland 20740. Telephone 240-487-3570, FAX 301-864-7965.***